

AMENDED IN ASSEMBLY MAY 2, 2005

AMENDED IN ASSEMBLY APRIL 25, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 66

Introduced by Assembly Members Pavley and Daucher
(Coauthor: Assembly Member Torrico)

December 21, 2004

An act to add Section 48001 to the Education Code, relating to kindergarten.

LEGISLATIVE COUNSEL'S DIGEST

AB 66, as amended, Pavley. Kindergarten.

Existing law generally requires that a child be admitted to a kindergarten at the beginning of a school year, or at any time later in the same year, if the child will have his or her 5th birthday on or before December 2 of that school year. Existing law also establishes the Kindergarten Readiness Pilot Program, to be implemented commencing in the 2006–07 school year, and requires a participating school district to offer admission to kindergarten at the beginning of the school year, or at a later time in the same school year, only to children who will have their 5th birthday on or before September 1 of that school year and to make a corresponding change to the age at which a child is required to be admitted to the 1st grade, as specified. These pilot program provisions become inoperative on July 1, 2013, and are repealed as of January 1, 2014.

This bill would authorize a school district to operate a 2-year kindergarten program, ~~or a 3-year combined kindergarten and grade 1 program by authorizing a school district to admit,~~ with the approval of

the parent or guardian, as specified, *for a child who has not had his or her 5th birthday by December a specified date of each school year.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48001 is added to the Education Code,
2 to read:

3 48001. (a) Notwithstanding any other provision of law, a
4 school district may operate a two-year kindergarten program, ~~or~~
5 ~~a three-year combined kindergarten and grade 1 program~~, at one
6 or more schools pursuant to this section.

7 (b) *A two-year kindergarten program shall be implemented so*
8 *that a child shall be admitted to a year two of the program at the*
9 *beginning of the school year, or at any later time in the same*
10 *school year, if his or her fifth birthday will occur on or before*
11 *December 2 of that school year. A child who has had his or her*
12 *fifth birthday by between September 1 and December 2 of that*
13 *school year may be admitted to year one of the program with the*
14 *approval of the parent or guardian, subject to the condition that*
15 *the parent or guardian is given information regarding the*
16 *advantages and disadvantages and any other explanatory*
17 *information about the effect of this early admission year one of*
18 *the program. A child who had his or her fifth birthday by*
19 *December 2 of that school year but whose birthday does not fall*
20 *between September 1 and December 2 of that school year may*
21 *also be admitted to the first year of the two-year kindergarten*
22 *program with the approval of his or her parent or guardian.*

23 (c) A two-year kindergarten program shall do all of the
24 following:

25 (1) *Make a year one or year two kindergarten placement*
26 *recommendation for a child to his or her parent or guardian,*
27 *based on age, readiness, and other relevant factors, no later than*
28 *two months after the beginning of the school year.*

29 (2) ~~Administer an age-appropriate standards-based curriculum~~
30 ~~developed by the school district. In developing the curriculum,~~
31 ~~the school district shall consider~~ *The curriculum shall take into*
32 *consideration the developmental, cognitive, and social skills of a*
33 ~~child~~ *pupils.*

1 (3) Provide instructors that hold a preliminary or professional
2 ~~clear-credential~~ *multiple subject teaching credential, pursuant to*
3 *Section 44259.*

4 (d) Once a child is admitted to a program, a school district
5 shall not remove that child from the program without the
6 approval of the parent or guardian.

7 (e) Upon the completion of ~~the kindergarten portion~~ *years one*
8 *and two or year two* of a *two-year kindergarten* program, or as
9 provided pursuant to Section 48010, a child shall be admitted to
10 grade 1. *A school district may retain a child in the two-year*
11 *kindergarten program if he or she did not participate in year one*
12 *but did complete year two if the approval of the parent or*
13 *guardian of the pupil is obtained.*

14 (f) The school district may evaluate ~~a~~ *the two-year*
15 *kindergarten* program to determine its impact on special
16 education placements, literacy at grade level, and other indicia of
17 improvement. The evaluation shall include entrance and exit
18 examinations of children.